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District Counsel

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897
Address: 869 N. Cherry Street
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC No.: WW-14

Date: January 25, 2018
Time: 9:30 a.m.
Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13
Judge: Honorable René Lastreto II

MOTION FOR ORDER FIXING BAR DATE FOR FILING PROOFS OF CLAIM

TO THE HONORABLE RENÉ LASTRETO II, UNITED STATES BANKRUPTCY

JUDGE:

Tulare Local Healthcare District, dba Tulare Regional Medical Center ("TRMC" or

1 "Debtor") hereby moves this Court pursuant to 11 U.S.C. Sections 105(a), 501, 502(b),
2 901 and FRBP 2002, 3003 and 9007 for an order, substantially in the form of the
3 proposed order ("Order") attached hereto as Exhibit A, providing notice for a bar date for
4 filing proofs of claim and related relief.

5 For purposes of this Motion and the proposed deadlines and related relief, the
6 term "Claim" refers to claims arising before the date of the filing of the petition
7 (September 30, 2017) and has the meaning set forth in 11 U.S.C. § 101(5) as further
8 described at Section 501(d).

9 The Court is requested to set a date which is at least 75 days after service of
10 the Order on creditors. Assuming approval is granted on January 25, 2018, and
11 allowing five (5) court days for services, a general claims bar date of April 10, 2018 (the
12 "Bar Date") would be set as the last date by which any entity or person, other than a
13 governmental entity, may file a timely Proof of Claim against the Debtor. The Bar Date
14 will be enforceable notwithstanding any otherwise applicable non-bankruptcy law that
15 could govern the timing of the assertion of a claim against the Debtor.

16 TRMC also requests the following related relief:

17 a. Proofs of Claim must be filed with the Clerk of the Bankruptcy Court, with
18 copies sent to Walter Wilhelm Law Group ("W2LG"), Chapter 9 counsel for TRMC, at
19 the following addresses:

20 Clerk of the Court
21 United States Bankruptcy Court
22 2500 Tulare Street, Rm. 2501
Fresno, CA 93721

Walter Wilhelm Law Group
205 E. River Park Circle, Ste. 410
Fresno, CA 93720

23
24 b. Proofs of Claim will be deemed filed only when actually received by the
25 Bankruptcy Court Clerk.

26 c. Unless otherwise ordered by the Court, any entity, person, or claimant that
27 is required to but does not file a timely Proof of Claim in compliance with the Order (i)
28 will be forever barred from voting with respect to any plan of adjustment filed in this

1 case and from receiving any distributions under such plan or otherwise from the
2 Debtor's property; (ii) will be bound by the terms of any such plan of adjustment that is
3 confirmed by the Court; and (iii) will no longer be entitled to receive further mailings in or
4 notices regarding this case and will be removed from the List of Creditors filed by the
5 Debtor pursuant to 11 U.S.C. § 924, as amended ("List of Creditors").

6 d. Within five (5) court days of entry of the Order approving this Motion, the
7 Debtor will send by first-class mail the order and a notice of the Order and Bar Date and
8 the other approved procedures and deadlines, in substantially the form of the proposed
9 notice attached as Exhibit B hereto (the "Notice"), along with a copy of Official Proof of
10 Claim Form to (a) all of its known creditors or potential creditors, as identified on the List
11 of Creditors; (b) all entities or persons that have filed a Request for Special Notice; and
12 (c) the other parties required to be served with notice of the Bar Date including any
13 Committee that may be appointed in this case.

14 e. With respect to mailed Notices that are returned as undeliverable, the
15 Debtor will re-mail such Notices within seven (7) court days of returned receipt of the
16 same to the forwarding address set forth on such envelopes, if any, provided, however,
17 that the Debtor will be relieved of any other or further obligation to seek out an address
18 for a potential claimant, if any.

19 f. Within ten (10) court days of entry of an Order approving this Motion, the
20 Debtor will publish the Notice one time in the *Visalia Times-Delta* to give notice to
21 claimants of whom the Debtor is unaware of or of whom the Debtor does not have
22 accurate, current address information.

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1 WHEREFORE, the Debtor respectfully requests that this Court grant the Motion
2 and grant such other relief as is just and proper.

3 Dated: December 22, 2017

WALTER WILHELM LAW GROUP
a Professional Corporation

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7 Riley C. Walter, Attorneys for Debtor,
8 Tulare Local Healthcare District, dba
9 Tulare Regional Medical Center
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